



**ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS**

**Meeting of the United Nations Security Council to discuss the Implementation of Resolution  
1540(2004)**

**Statement by the Director-General OPCW,**

**Ambassador Ahmet Üzümcü**

**15 December 2016**

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*REMARKS AS DELIVERED*

Mr President,

Excellencies,

Distinguished members of the Security Council,

Ladies and gentlemen,

It is a great honour for me to address the Security Council and I welcome the adoption of a new Resolution on the 1540 mechanism today.

I consider it particularly propitious that I speak at the Council under the stewardship of an outstanding diplomat whose distinguished career includes important contributions to the work of the OPCW as the Permanent Representative of Spain, as Chairperson of the Executive Council and as Chairperson of the 11th Session of the Conference of States Parties.

I thank you for the kind invitation for me to attend this important meeting.

The mandate of the OPCW to bring about a comprehensive and sustained prohibition on chemical weapons is indispensable to the objectives of the United Nations for the promotion of international peace and security.

Mr President,

As an all-encompassing treaty, the Chemical Weapons Convention seeks to achieve its goals through not only core disarmament and non-proliferation measures but also by engendering international cooperation and offering assistance and protection against chemical weapons. These pillars of the Convention in turn translate into several programme areas.

With the singular purpose of ensuring a world free of chemical weapons, the OPCW carries out a wide range of activities and programmes.

Since these would be too numerous to mention within the scope of my present intervention, I will confine my remarks to the parts of our mandate that most directly support the objectives of UNSCR 1540.

Today, 94% of the world's declared chemical weapons have been destroyed under international verification. This amounts to more than 65,000 tonnes of the deadliest poisons ever produced and these include Syrian and Libyan chemical weapons.

An entire class of weapons of mass destruction is now at the threshold of being completely eradicated. This would be an unprecedented achievement in the history of disarmament. Apart from clearly contributing to global security, possibilities for non-State actors gaining access to military-grade stockpiles have been virtually eliminated.

The objective of banishing a category of weapons would however remain elusive without related measures to prevent their re-emergence. The Convention therefore creates obligations in the context of non-proliferation that broadly translate into two main areas; industry verification and data reporting on the one hand, and promulgation and enforcement of national legislation on the other.

Industry inspections are an essential part of our mandate.

Since 1997, 3400 such inspections have been carried out in over 80 States Parties.

More specifically in the context of UNSCR 1540, many of the measures in the operative paragraphs of this resolution that deal with chemical weapons correspond to obligations that States Parties have already assumed under the Convention.

Operative paragraph 1 of resolution 1540 stipulates that States refrain from providing any form of support to non-State actors that attempt to develop, or acquire in any way, weapons of mass destruction.

This is fully in line with the general obligations that are set out in Article I of the Convention and that are further developed in Article VII that deals with national implementation measures. Article VII requires each State Party to adopt all necessary measures to implement its obligations under the Convention, including by extending its penal legislation to any activity that is undertaken by individuals and that is prohibited under the Convention (Article VII 1.c).

This provision in particular is addressed by operative paragraphs 2 and 3 of Resolution 1540.

Operative paragraph 3 of Resolution 1540 addresses the need to develop appropriate measures to ensure accountability and physical protection of relevant materials.

Articles III, IV, and V of the Convention establish a detailed system according to which all chemical weapons and all related facilities are to be declared and inspected, as appropriate. This system was designed to ensure that the inventory of weapons and facilities is correct, and it thereby provides for the effective implementation of national physical-protection measures.

Mr President,

The effectiveness of legislative and other regulatory measures and of the internal structures to administer them is critical to the enforcement of the Convention and the ability of States Parties to prevent non-State actors from gaining access to materials that could aid the development of chemical weapons.

It is in this area the work of the OPCW complements directly the efforts of the UN to promote the implementation of resolution 1540 as regards toxic chemicals. Full compliance at the national level with the obligations of the Convention provides a good measure of protection against proliferation.

In view of the need to ensure full implementation of the Convention, the Conference of our States Parties adopted a plan of action to promote national implementation of the Convention globally.

In this regard, through a range of programmes that are regularly conducted by the OPCW, we have assisted and continue to assist our States Parties in fulfilling their obligations. I would like to mention in particular that the OPCW Technical Secretariat reviews drafts of implementing legislation and provides comments thereon in order to ensure that the drafts meet the requirements of the Convention.

Our Internship Programme for Legal Drafters and National Authority Representatives is aimed at assisting States Parties in drafting implementing legislation. It is a one-week programme that is held at the OPCW Headquarters. The aim of the programme is to enhance the technical skills of the participants to enable them to complete a draft of national implementing legislation.

Periodic regional meetings and the Annual Meeting of National Authorities offer valuable opportunities to review and discuss the status of implementation and to offer technical assistance as appropriate. The Mentorship programme facilitates the transfer of best practices between States.

The OPCW Secretariat has actively focussed on offering practical on-site assistance tailored to the needs of the States Parties that have requested it.

These activities have produced concrete results:

Of our 192 States Parties, 189 or 98% have established or designated a National Authority. This is a crucial channel of communication between the OPCW and its States Parties.

156 or 81% countries had submitted information to the Secretariat with 71% of them also having provided copies of the adopted measures.

118 States Parties have adopted legislative and/or administrative measures to implement the provisions of the Convention that are the most pertinent to its object and purpose. They cover such important areas as prohibitions on natural or legal persons from undertaking any activities that are prohibited under the Convention as well as instituting penal legislation for violations thereof.

32 States Parties (17%) have reported that they have adopted implementing measures that cover some of these initial measures.

42 States Parties have yet to adopt implementing legislation covering initial measures.

For States Parties that possess declarable industrial facilities, additional measures are required under the Convention. 110 States Parties (57%) have informed the OPCW Secretariat that they have adopted the necessary implementing measures.

Criminalising activities that the Convention prohibits and establishing measures that would enforce those rules accord entirely with the objectives of UNSCR 1540.

Controls on transfers of scheduled chemicals are an important aspect of the Convention's non-proliferation regime, especially given the rise in the international trade in scheduled chemicals, and the growing importance of free-trade zones.

Such activities are regulated under Article VI of the Convention and are mentioned in operative paragraphs 3(c) and (d) of Resolution 1540.

Hundreds of thousands of tonnes of scheduled chemicals of dual use are traded internationally every year for purposes not prohibited under the Convention. It is evident that this perfectly legitimate trade needs to be monitored and controlled.

The OPCW works closely with customs authorities and the chemical industry. Our cooperation with the World Customs Organization (WCO) is critical for the success of our training activities. We shall soon sign an MOU with the WCO which will help further deepen our partnership.

For this, we count on the invaluable support of the chemical industry worldwide, which has fully understood the importance of preventing any misuse of chemicals. Our close collaboration with the global chemical industry continues to gain strength.

The involvement and cooperation of the chemical industry stems not only from their laudable support for the Convention in general, but also from the evident risk of possible attacks on chemical facilities—attacks that would turn industrial sites into veritable weapons. Here again, measures taken at the national level reinforce the effectiveness of the global norms. Based on the conviction that the OPCW can meaningfully contribute towards enhancing global chemical security at all stages of the chemical life-cycle, the Organisation's international cooperation activities include an active programme for promoting chemical safety and security in our States Parties.

The Scientific Advisory Board (SAB) of the OPCW, composed of 25 eminent experts, provides its recommendations for mitigating the proliferation risks emanating from scientific and technological advances.

Mr President,

The threat from terrorists represents an ever present danger. We know from our recent investigations that DAESH has in fact used chemical weapons in Syria and in Iraq.

The international legal framework offers several avenues for enhanced cooperation and coordination between international organisations in the context of counter-terrorism.

We have long-standing cooperation with the 1540 Committee. The OPCW's Open-ended Working Group on Terrorism regularly reviews the opportunities for enhanced interaction and coordination between the concerned international entities including the 1540 mechanism. A Sub-Working Group focusses particular attention on the problem of non-State actors.

We also have an active partnership with the United Nations Counter Terrorism Implementation Task Force (CTITF), and the OPCW co-chairs together with the IAEA, the working group on preventing and responding to WMD terrorist attacks with chemical or biological weapons.

The OPCW will host early next year a table-top exercise with the participation of several different organisations to test an inter-agency mechanism to respond to a chemical terrorist attack. This mechanism will enhance the inter-operability of relevant organisations for an effective response. We believe that the newly established Rapid Response and Assistance Mission (RRAM) of the OPCW will provide an important capability to this mechanism.

Mr President,

We must continue to strengthen our cooperation to fully implement our legal obligations whether these originate in international treaties such as the CWC or instruments such as UNSCR 1540. OPCW remains ready to further strengthen its cooperation with international institutions, scientific communities, chemical industry and the civil society in general.

In closing, let me thank you, Mr President, and the Members of the Council, for this opportunity to address you. I reiterate the readiness of the OPCW to continue cooperating with this body in its central role and primary responsibility to preserve and protect international peace and security.

Thank you.